



State of Ohio Environmental Protection Agency

299612

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Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

February 4, 2008

Mr. John Grinstead
96 Security Drive
Tri-E Technologies, LLC
Fairfield, Ohio 45014

**Re: Notice of Violation, Unpermitted Storage of Hazardous Waste
at the Skinner Property**

Dear Mr. Grinstead:

On December 17, 2007 Ohio EPA Division of Hazardous Waste Management was informed of a complaint that our Division of Emergency and Remedial Response received concerning wastes stored adjacent to the Skinner Landfill Superfund site located in West Chester, Ohio. The complaint concerned the storage of containers of computer monitor glass at the site. The complaint alleged the containers were open, in poor condition, and that some of the glass had been released to the environment. It was alleged that the containers had been stored at this location since August of 2007.

On December 20, 2007, Ohio EPA inspected the property and discovered seventy-eight (78) one (1) cubic yard containers of material that appeared to be crushed computer monitor glass. All of the boxes were stored outside in the weather, many had open lids, and some containers were deteriorating. Several of the containers had failed and the contents had spilled onto the ground. A shipping document attached to one of the containers bore the name Tri-State Computers.

Ohio EPA collected several samples of the broken glass during the inspection. The results revealed that material in the containers exhibits the characteristic of toxicity for lead, as defined in Ohio Administrative Code ("OAC") rule 3745-51-24 and is a hazardous waste as defined in OAC rule 3745-51-03.

Ohio EPA also conducted a site visit at your current facility (Tri-E Technologies) and had several phone calls with you and determined that the material now stored at the Skinner property was transported from Tri-State Computers. The

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material had been declared by you to be a waste and was transported to the Skinner property with the understanding that Ray Skinner would properly dispose of the waste.

Based upon the inspections and phone calls, Ohio EPA has determined that Tri-State Computer has violated the following Ohio hazardous waste laws:

1. Treatment, Storage, Disposal (ORC 3734.02 (F))

This law states that no person shall cause to be transported any hazardous waste except at or to a hazardous waste facility operating under a permit.

Tri - State Computer caused seventy-eight (78) containers of hazardous waste to be transported to the Skinner site in West Chester, Ohio. The Skinner site does not have a hazardous waste installation and operation permit as required by this law. Therefore, Tri-State Computer has violated Ohio Revised Code Section 3734.02(F).

This violation must be abated immediately through the following actions:

Tri-State Computers and Mr. Skinner share the responsibility to immediately remove these containers from the Skinner property and have them properly disposed at a permitted hazardous waste facility or recycled by a facility that will properly handle and recycle the material in a timely manner.

Tri-State Computers and Mr. Skinner also share the responsibility for cleanup and disposal of any waste that has been released to the environment as well as the cleanup of any environmental media that has become contaminated as a result of this unpermitted activity.

2. Evaluation of Waste (OAC 3745-52-11)

Any person who generates a waste must evaluate the waste to determine if the waste is a hazardous waste in accordance with the criteria set forth in OAC Chapter 3745-51

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waste material to the Skinner property. To return to compliance Tri-State Computers must evaluate and properly handle the material as required by this rule and submit documentation to this office for review.

3. Manifest -- General Requirements (OAC 3745-52-52)

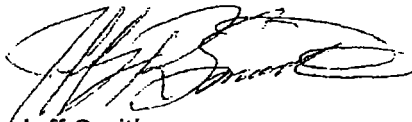
A generator who transports, or offers for transportation, hazardous waste for off-site treatment, storage, or disposal must prepare a uniform hazardous waste manifest before transporting the hazardous wastes off-site.

Tri-State Computers failed to properly manifest the seventy-eight (78) containers of hazardous waste. Tri-State Computer needs make sure any future shipments of hazardous waste are properly manifested as required by this rule.

Please submit information which describes how violations 1 and 2 above have been or will be abated. Submit this information to this office within 30 days of receipt of this letter. Ohio EPA considers these violations serious in nature, which may result in a referral of Tri-State Computers to our Central Office Enforcement Section for consideration of escalated enforcement. Ohio EPA's failure to cite specific deficiencies or violations in this letter does not relieve your company from having to comply with all applicable regulations.

Should you have any questions, please feel free to call me at (937) 285-6070. You can find copies of the rules and other information on the division's web page at: <http://www.epa.state.oh.us/dhwm/>.

Sincerely,



Jeff Smith
District Representative
Division of Hazardous Waste Management

cc: Dinah Crawford, SWDO-DHWM/SWDO File

JS\bp